



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	:	09/835,064)	Primary Examiner:
)	Abel Jalil, Neveen
5 Filing Date	:	04/13/2001)	
)	Group Art unit: 2165
First Named Inventor	:	G. GIUFFRIDA)	
)	
10 Firm Docket No.	:	HRL065)	
)	
For: A Method And Apparatus For)	
Automatically Extracting Metadata From)	
Electronic Documents Using Spatial Rules)	
15)	

37 C.F.R. 1.131 DECLARATION

I, Dan Allemeier, do hereby declare that:

- 20 1. The inventors of the invention described in non-provisional utility application serial no. 09/835,064, filed on 04/13/2001, and entitled "A Method And Apparatus For Automatically Extracting Metadata From Electronic Documents Using Spatial Rules" are unavailable to sign the attached declaration made under 37 CFR 1.131.

- 25 2. The assignee or other party in interest may make such a declaration when it is not possible to produce the affidavit or declaration of the inventor. *Ex parte Foster*, 1903 C.D. 213, 105 O.G. 261. As such the present declaration under 37 CFR 1.131 has been made under the provisions of 715.04, subsection D of the MPEP, which allows the Assignee to make the Declaration when the inventors are
- 30 unavailable.

3. The non-provisional utility application serial no. 09/835,064, filed on 04/13/2001, and entitled "A Method And Apparatus For Automatically Extracting Metadata From Electronic Documents Using Spatial Rules" was assigned to HRL

Laboratories, LLC, having a place of business located at 3011 Malibu Canyon Road, Malibu, CA 90265. The assignment was officially recorded by the USPTO on Reel/Frame 013125/0430, having a date of recordation of 7/26/2002.

- 5 4. I am the General Counsel of HRL Laboratories, LLC. As the General Counsel, I have the authority to make the following statements on behalf of the Assignee.
- 10 5. I have knowledge of the contents of the invention described in non-provisional utility application serial no. 09/835,064, filed on 04/13/2001, and entitled "A Method And Apparatus For Automatically Extracting Metadata From Electronic Documents Using Spatial Rules." The invention as described in the
- 15 aforementioned non-provisional utility application was invented at least as early as January of 1999, and by acts undertaken wholly in the United States of America, the invention was diligently pursued with the purpose of its actual reduction to practice at least as early as May of 1999.
- 20 6. Appendix A is an internal document restricted from dissemination outside of the company. It is a copy of the original invention disclosure statement submitted to the legal counsel of HRL Laboratories, LLC and was received on February 20, 2000. The document includes a total of thirty-two (32) pages and presents the concepts disclosed and claimed in the present application. Each sheet was signed by the inventors on or before February 10, 2000. The signatures of each of the inventors are located at the bottom of each sheet. Each of the thirty-two (32) pages is date stamped in the bottom left hand corner of the sheet. The document
- 25 establishes proof of concept and a reduction to practice of the present invention, in its entirety, and as arranged in the claims of the present application, at least as early as May of 1999. This is corroborated by the "Reduction To Practice" table on sheet 2 of Appendix A in Section 4.

7. As stated above, the contents of the present application, as arranged in the claims, were reduced to practice at least as early as May of 1999. The specific details on an element-by-element basis for each of the independent claims, Claims 1 and 9, are as follows:

- 5 a. Claim 1 as previously presented claims an apparatus for automatically extracting metadata from electronic documents comprising a first processing element, a second processing element, a reasoning element, and a database, wherein: said first processing element is configured to convert electronic documents into files; said first processing element is
10 configured to provide the files to a second processing element; said second processing element is configured to receive said files and extract predetermined information from the files; said second processing element is further configured to provide said extracted predetermined information to said reasoning element; said database is configured to
15 provide input to said reasoning element; said reasoning element is configured to employ a set of rules to automatically extract metadata from the files by employing the extracted predetermined information and the input from the database; and said reasoning element provides an output of metadata.
- 20 i. The element “a first processing element, a second processing element, a reasoning element, and a database wherein: said first processing element is configured to convert electronic documents into files” was conceived at least as early as May of 1999. The
25 conversion process of the electronic documents into files is represented by the diagram of Figure 1 and is described in Section 9, sheets 7-14.
- ii. The element “said first processing element is configured to provide the files to a second processing element; said second processing

element is configured to receive said files and
extract predetermined information from the files” was conceived at
least as early as May of 1999. The movement of the files from the
first processing element to a second processing element is
5 represented by the diagram of Figure 1 and is described in Section
9, sheets 7-14.

iii. The element “said second processing element is further configured
to provide said extracted predetermined information to said
reasoning element” was conceived at least as early as May of 1999.
10 The movement of the files from the first processing element to a
second processing element is represented by the diagram of Figure
1 and is described in Section 9, sheets 7-14.

iv. The element “said reasoning element is configured to employ a set
of rules to automatically extract metadata from the files by
15 employing the extracted predetermined information and the input
from the database” was conceived at least as early as May of 1999.
The movement of the files from the first processing element to a
second processing element is represented by the diagram of Figure
1 and is described in Section 9, sheets 7-14.

20 v. The element “said reasoning element provides an output of
metadata” was conceived at least as early as May of 1999. The
reasoning element providing an output of metadata is described in
Section 9, sheets 7-14. The concept was reduced to practice at
least as early as May of 1999, the experimental results of which are
25 discussed on sheets 9-14.

b. Claim 9 claims a method for automatically extracting metadata from
electronic documents providing a first processing element, a second
processing element, a reasoning element, and a database and comprising

the steps of: employing said first processing element to convert electronic documents to files; further employing said first processing element to provide the files to said second processing element; employing said second processing element to receive said files and extract predetermined information from the files; further employing said second processing element to provide extracted predetermined information to said reasoning element; employing said database to provide input to said reasoning element; employing a set of rules in said reasoning element to automatically extract metadata from the files by employing the extracted predetermined information and the input from the database; and providing an out put of metadata from said reasoning element.

- i. The act of “employing said first processing element to convert electronic documents to files” was conceived at least as early as May of 1999. The conversion process of the electronic documents into files is represented by the diagram of Figure 1 and is described in Section 9, sheets 7-14.
- ii. The act of “further employing said first processing element to provide the files to said second processing element” was conceived at least as early as May of 1999. The movement of the files from the first processing element to a second processing element is represented by the diagram of Figure 1 and is described in Section 9, sheets 7-14.
- iii. The act of “employing said second processing element to receive said files and extract predetermined information from the files” was conceived at least as early as May of 1999. The movement of the files from the first processing element to a second processing element is represented by the diagram of Figure 1 and is described in Section 9, sheets 7-14.

- iv. The element “further employing said second processing element to provide extracted predetermined information to said reasoning element” was conceived at least as early as May of 1999. The movement of the files from the first processing element to a second processing element is represented by the diagram of Figure 1 and is described in Section 9, sheets 7-14.
- v. The element “employing said database to provide input to said reasoning element” was conceived at least as early as May of 1999. The reasoning element providing an output of metadata is described in Section 9, sheets 7-14. The concept was reduced to practice at least as early as May of 1999, the experimental results of which are discussed on sheets 9-14.
- vi. The element “employing a set of rules in said reasoning element to automatically extract metadata from the files by employing the extracted predetermined information and the input from the database” was conceived at least as early as May of 1999. The reasoning element providing an output of metadata is described in Section 9, sheets 7-14. The concept was reduced to practice at least as early as May of 1999, the experimental results of which are discussed on sheets 9-14.
- vii. The element “providing an out put of metadata from said reasoning element” was conceived at least as early as May of 1999. The reasoning element providing an output of metadata is described in Section 9, sheets 7-14. The concept was reduced to practice at least as early as May of 1999, the experimental results of which are discussed on sheets 9-14.

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Firm Docket No.: HRL065

8. I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Dan Allemeier

11/24/2007

Date